

D. **Design Review.** The following items are subject to the review and approval of the Architectural Board of Review (ABR). ABR shall not grant preliminary approval of the project until the following conditions have been satisfied.

1. **Tree Protection Measures.** The landscape plan and grading plan shall include the following tree protection measures:
  - a. **Landscaping & Development Adjacent to Trees.** Landscaping & development of the driveway adjacent to the Ficus tree(s) shall be compatible with the preservation of the tree(s).
  - b. **Arborist's Report.** Include a note on the plans that recommendations/conditions contained in the arborist's report prepared by Bill Spiewak, dated June 1, 2006, shall be implemented. (BIO-1)
2. **Landscape Screening.** The existing Ficus trees along the northern property line shall continue to be maintained to buffer the parking area and site development from the adjacent residential zoned lot.
3. **Useable Common Open Space.** Adequate usable common open space shall be provided in a location accessible by all units within the development.
4. **Minimize Visual Effect of Paving.** Where feasible and consistent with Fire Department regulations, textured or colored pavement shall be used in paved areas of the project to minimize the visual effect of the expanse of paving, create a pedestrian environment, and provide access for all users.
5. **Screened Check Valve/Backflow.** The check valve or anti-backflow devices for fire sprinkler and/or irrigation systems shall be provided in a location screened from public view or included in the exterior wall of the building.
6. **Northerly Interior Yard Setback.** The northerly side of the project shall be redesigned such that there will be no setback encroachment on the second floor of the building.
7. **Reduce Apparent Bulk.** Work with the applicant to reduce the apparent bulk of the building, with emphasis on compatibility with the Olive Mill Road neighborhood.
8. **Tower Element.** Study or consider removal or relocation of the tower element.
9. **Second and Third Floor Restudy.** Study the relationship between the second and third floor setbacks to reduce the apparent bulk of the building.